

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mitchell C. Sanders *O I P E*
Application No.: 09/848,781
Filed: May 3, 2001
For: A Device for Detecting Bacterial Contamination and Method of Use
Group: 1743
Examiner: Not yet assigned



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, P.O. Box 2327, Arlington, Virginia 22202	
Date	Signature
on <u>2/21/02</u> <u>Wendy Morrissey</u>	
_____ <u>Wendy Morrissey</u> Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, Virginia 22202

Sir:

In reply to the Notice to File Missing Parts dated December 21, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

EXECUTED DECLARATION FOR PATENT APPLICATION
(Separate transmittal letter and postcard not required)

POWER OF ATTORNEY DOCUMENT

GRANTED BY INVENTOR(S)
 GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)
(Separate transmittal letter and postcard not required)

PRELIMINARY AMENDMENT
(Separate transmittal letter and postcard not required)

FILING FEE - with Fee Transmittal for Patent Applications in duplicate
Fee calculations based on:

Claims as originally filed
 Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
(Separate transmittal letter and postcard not required)

BEST AVAILABLE COPY

SURCHARGE - surcharge fee of \$65.00
(Separate transmittal letter and postcard not required)

SEQUENCE LISTING - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

SUBSTITUTE DRAWINGS

Sheets of substitute drawings consisting of Figs. 1 - [] are enclosed
(Separate transmittal letter and postcard not required)

PETITION FOR EXTENSION OF TIME

Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []
The appropriate fee of \$[] is included in the enclosed check

A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee

Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

STATEMENT CLAIMING SMALL ENTITY STATUS

Was filed on December 4, 2001

Is enclosed herewith
(Separate transmittal letter and postcard not required)

In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$603.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

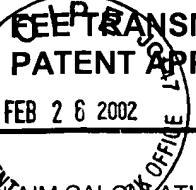
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Doreen M. Hogle
Doreen M. Hogle
Registration No.: 36,361
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: February 21, 2002

HAMILTON BROOK, SMITH & REYNOLDS, P.C.

 FEES TRANSMITTAL FOR PATENT APPLICATIONS FEB 26 2002	Attorney Docket Number	3265.1001-000
	Application Number	09/848,781
	First Named Inventor	Mitchell C. Sanders

 PATENT & TRADEMARK OFFICE CLAIM CALCULATION (includes any preliminary amendment)	
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	9 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	7 - 3** =	4	x \$ 84 =	\$ 336
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
			Total of above Calculations =		\$ 1076
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$ 538
			TOTAL =		\$ 538
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 65
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent		TOTAL =		\$ 603

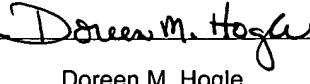
1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.
- d. Was previously filed on December 4, 2001.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$603.00. Please charge \$[] to Deposit Account No. 08-0380.

4. Other: _____

Signature		Date	February 21, 2002
Submitted by Typed or Printed Name	Doreen M. Hogle	Reg. Number	36,361



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Page 1 of 2
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/848,781	05/03/2001	Mitchell C. Sanders	102951-10

O I P E
FEB 26 2002
PATENT & TRADEMARK OFFICE, L.P.

ATTORNEY, McCLENNEN & FISH, LLP
One International Place
Boston, MA 02110-2699

CONFIRMATION NO. 6639

FORMALITIES LETTER



OC00000007224813

Date Mailed: 12/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$320.
 - **\$320 for 4 independent claims over 3 .**
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1160.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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O I P E
FEB 26 2002
PATENT & TRADEMARK OFFICE, L.P.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

BB
PART 2 - COPY TO BE RETURNED WITH RESPONSE